

### **Remarks**

Claims 1-30 and 32-42 are pending in this application.

By the present amendment, Applicant has amended claims 1, 12, 20-30 and 35-37.

With respect to independent claims 1 and 12, Applicant has amended these claims to more positively recite a computer processing system. With respect to the amendments to claims 20-30 and 35-37, Applicant has amended these claims to recite an apparatus comprising a computer processing system rather than a system. Support for the amendments to these claims can be found in the originally filed specification on page 6, lines 7-14 and Figure 1.

With respect to the objection to claims 1-30 and 32-42 under 35 U.S.C. §101, Applicant respectfully submits that the amended claims which now more positively recite a computer processing system render this objection moot. With respect to the objections to claims 35-37, Applicant has amended these claims to conform them with the independent claim on which they depend, i.e. claim 27.

With respect to the rejection of claims 1-9, 32-33 and 38-42 under 35 U.S.C. §112, second paragraph, Applicant has amended claim 1 to clarify the claimed parameters. Page 4 of the outstanding Office Action sets forth a further rejection of claim 12 and an inquiry. Applicant respectfully submits that the former claim language “the type of participants” referred to, for example, participants within a certain geographical region, participants within a certain industry, participants within a certain size range, etc. For clarification, Applicant has now amended claim 12 so that the claimed designations

indicate “group defining parameters” for the participants, i.e. parameters which define the group of participants.

Accordingly, Applicant respectfully submits that all rejections under 35 U.S.C. §112 have been overcome.

Turning now to the rejections of Applicant’s claims under 35 U.S.C. §103, Applicant submits that there is no teaching or suggestion in the prior art to practice Applicant’s invention. The cited reference to Zitaner does not teach or suggest a self designated survey group, or the step of establishing parameters for inclusion in a self designated group and the job positions to include in the salary survey for the self designated survey group.

Additionally, there is no teaching or suggestion in Zitaner of verifying data received from survey members/participants or for transferring data from an unconfirmed table to a wage information table after the data has been verified.

As previously discussed, Applicant maintains that there is no teaching or suggestion for Applicant’s claimed step of aging salary data. Moreover, there is no teaching or suggestion in Zitaner of forming subgroups of a survey group wherein the subgroup comprises less than all of the members of the survey group.

The Kahn, et al. and Erwin, et al. references also fail to fill in the deficiencies of the primary reference to Zitaner.


Enclosed herewith is an Applicant Initiated Interview Request Form proposing May 19, 2009 at 11:00 a.m. as a date for the telephonic interview with Examiner Te Y. Chen, Ted Turnasella the inventor, and his attorney Mr. Burke.

### CONCLUSION

In light of the present amendment, Applicant respectfully submits that all of the claims are now in condition for allowance. If the Examiner has any questions or comments which might expedite the prosecution of the present application, the Examiner is respectfully invited to contact the Applicant's attorney on the phone number set forth below.

Respectfully submitted,

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Enclosures: Request for Extension of Time  
PTO-2038 Form  
Applicant Initiated Interview Request Form  
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